

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re Application of FIMI-Finanziaria
Immobiliare Italia S.R.L. and FINAB 43
S.R.L. IN LIQUIDAZIONE,

Petitioners,

For an order to conduct discovery for use in a
foreign proceeding.

Civil Action No. 19 mc 584 (PKC)

[PROPOSED] ORDER

THIS MATTER having come before the Court on the ex parte Application by FIMI-Finanziaria Immobiliare Italia S.R.L. and FINAB 43 S.R.L. in Liquidazione ("Applicants"), pursuant to 28 U.S.C. § 1782, and the Court having considered the Application, the memorandum of law in support thereof, and the Declaration of Cino Raffa Ugolini dated December 19, 2019 in support thereof, along with its exhibits, and the Court being sufficiently advised,

IT IS HEREBY ORDERED that the Application is granted.

IT IS FURTHER ORDERED that:


- 1) Applicants' U.S. counsel, Ralph M. Stone is authorized pursuant to 28 U.S.C. § 1782, to issue and cause to be served subpoenas, in the form attached as Exhibits 2 through 11 to the Application, requiring Respondents 400 Fifth Avenue Corp., 400 Fifth Mezz LLC, 400 Fifth Realty LLC, 400 Fifth Management LLC, 400 Fifth Hotel Group LLC, 400 Fifth Restaurant Group LLC and Bizzi & Partners Development LLC to produce the documents described in the subpoenas, and

Respondents _ Giuseppe Rossi, Andrus Laurits and Steven Della Salla to appear for depositions, all in connection with the Italian Action which is imminently to be commenced by Petitioners against Davide Bizzi and others in Milan, Italy; and

- 2) This Court shall retain jurisdiction over this matter for purposes of enforcement of the foregoing subpoena.

Dated: 12-20, 2019.

SO ORDERED.



United States District Judge